



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIRECTOR'S OFFICE
4126 Technology Way, Suite 100
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<http://dhhs.nv.gov>

PUBLIC RECORD REQUEST POLICY

(Revised 10/22/07)

Per Nevada Revised Statutes 239 and in accordance with Senate Bill 123 (passed during the 2007 legislative session and signed into law by the Governor), upon receipt of a written request to **inspect or copy** a public book or record, the Nevada Department of Health and Human Services (DHHS) will comply with any such request to personally inspect such public records within 5 business days of receiving a written request.

Please note the five day time frame applies only to the personal inspection of a public book or record by the requester. It does not apply to information that must be gathered and compiled. Persons making such requests will be notified within five days of receipt of a written request for such public records when the material will be available for pick up or delivery.

Upon receipt of a written request to inspect or copy public record documents, the requester will be notified by the agency's Public Information Officer, or another appropriate DHHS employee, when the material is ready for inspection.

Inspection of such public books or records must take place in the appropriate DHHS office during normal business hours, Monday through Friday, 8:00 AM to 5:00 PM. If the requester asks for copies of specific documents while on site, copies will be made by DHHS staff.

If the appropriate DHHS office cannot comply with the request to inspect or copy public record documents within five business days, the requester will be notified of the date and time such records will be available.

Please note, a state agency is not required, nor is it obligated, to comply with a request for information that is not compiled or tracked as a standard procedure of the agency, or that is compiled or tracked in a different way by the agency. Further, the agency is not obligated to create new materials to comply with a public record document request.

The party requesting the information may be directed to the agency's website (<http://dhhs.nv.gov>), where many documents are posted online in PDF and/or Word format.

DHHS does not charge a fee for copies of public record document requests that are less than 50 pages and do not require redacting of personal or other HIPAA privacy protected information. However, in accordance with NRS 239.055, **a fee of 15 cents per page will be assessed for all requests of more than 50 pages of documents.** All documents are reproduced in single-sided, black and white, format.

In accordance with NRS 629.061, **requests for copies of medical records may be assessed at not more than 60 cents per page**, beginning with the first page being copied.

Requester may also be required to pay for postage of mailings of more than 50 pages.

If a fee is to be assessed, the requester will be notified immediately. Once the estimated fee has been determined, the requester must remit a money order for the entire amount, payable to “**DHHS-Director’s Office**” or to the appropriate DHHS Division completing the request, prior to the request being honored. If the actual fee is less than estimated, as quickly as possible, the requester will be mailed a check for the balance.

In accordance with NRS 239.055, if a request for copies of public books or records will require extraordinary use of personnel or technological resources, including the redaction of personal or other HIPAA privacy protected information, a government entity may charge a reasonable fee to comply with such an extraordinary request. **The standard fee charged by DHHS is \$19 per hour.** Staff time to complete the request will be rounded to the nearest hour.

If a fee is to be assessed for extraordinary use of personnel and technological resources, the requester will be notified before any such work begins. Once the estimated fee has been determined, the requester must remit a money order for the entire amount, payable to **DHHS-Director’s Office** or to the appropriate DHHS Division completing the request, prior to the request being honored. If the actual fee is less than estimated, as quickly as possible, the requester will be mailed a check for the balance.

When requested copies of a public book or record are completed, DHHS will either notify the requester that the information may be picked up at the appropriate DHHS office, or notify the requester that the information has been sent via regular mail.

The requester may ask that requested information be copied, bound, etc. by a commercial copy service, which would then directly bill the requester for such services, including, if necessary, delivery of completed materials. Further, if the volume of copies requested would result in an extended delay if completed by DHHS, the agency may have such work completed by a commercial copy service, the cost of which would be billed to the requester.

If the public books or records are classified as confidential, the requester will be notified in writing, including a citation to the legal authority that makes the book or record confidential. If the confidentiality of the public record can be alleviated by a redaction of confidential information contained within the document, DHHS will notify the requester when that process has been completed. Further, if the requester disagrees with the confidentiality classification of a public record or document, the requester may seek legal relief in a Nevada State District Court, at which time the burden of proving such confidentiality will be on the public entity.

Per NAC 284.718 personnel-related documents are not considered public records. Per NRS 439C.140, 120, and 210, emergency response plans are also not considered public documents. Information deemed confidential under the Health Insurance Portability and Accountability Act (HIPAA) is not a public record. Further, any personal identifying information, including social security numbers, will be redacted on copies of public record documents.

Requests for public information documents can be made via regular mail or email. **All such requests for DHHS public record documents must be sent to:**

- Dept. of Health and Human Services
4126 Technology Way, Suite 100
Carson City, NV 89706
- Email: nvdhhs@dhhs.nv.gov

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